



In the Know: Retirement Plan News

Electronic Disclosure Rules

July 1, 2020

On May 21, 2020, the Department of Labor published voluntary safe harbor protections for the electronic delivery of required participant disclosures. This new guidance, effective July 27, 2020, is an opportunity for plan sponsors to reduce costs and improve access to important plan information.

Overview of Voluntary Safe Harbor Rules

Plan sponsors, who so choose, can deliver legal notices and disclosures to participants via email or the “notice and access method” (posting on intranet site) if they meet specific guidelines, including:

- Provide participants with an initial paper notice that explains the electronic delivery of plan information, their right to request paper copies, and other content requirements.
- Send participants an electronic notice of internet availability (NOIA) for each disclosure posted on their intranet site. The notice must contain a brief description of the document(s), instructions on how to access the information on the website, and the right to opt out. Note: Under certain conditions, some disclosures can be combined into a single annual NOIA notice.
- Keep disclosures on the website for at least one year or until replaced with a more current version.
- Ensure the electronic delivery system will track invalid and undeliverable electronic addresses so paper copies can be sent to these participants.

Key Action to Take Before July 27

Connect with your recordkeeper and service providers to determine if any changes are needed to your current disclosure delivery process to comply with the safe harbor rules.

For more information, view [this fact sheet](#) from the American Benefits Council.

Questions?

Contact your Cerity Partners Retirement Plan Services team.

Cerity Partners LLC (“Cerity Partners”) is an SEC-registered investment adviser with offices in California, Colorado, Illinois, Michigan, New York, Ohio and Texas. Registration of an Investment Advisor does not imply any level of skill or training. The foregoing is limited to general information about Cerity Partners’ services, which may not be suitable for everyone. You should not construe the information contained herein as personalized investment, tax, or legal advice. There is no guarantee that the views and opinions expressed in this brochure will come to pass. Before making any decision or taking any action that may affect your finances or your company’s finances, you should consult a qualified professional adviser. The information presented is subject to change without notice and is deemed reliable but is not guaranteed. For information pertaining to the registration status of Cerity Partners, please contact us or refer to the Investment Adviser Public Disclosure website (www.adviserinfo.sec.gov). For additional information about Cerity Partners, including fees and services, send for our disclosure statement as set forth on Form ADV Part 2 using the contact information herein. Please read the disclosure statement carefully before you invest or send money.